



REGULAR MEETING OF CITY COUNCIL
Held Monday, May 22, 2000.

Mayor Davis called the meeting to order at 8:11 p.m.

ROLL CALL was answered by Council members Edward V. J. Putens, Rodney M. Roberts, Alan Turnbull, Thomas X. White, and by Judith F. Davis, Mayor.

ALSO PRESENT were Michael P. McLaughlin, City Manager; Robert Manzi, City Solicitor; David E. Moran, Assistant to the City Manager; and Kathleen Gallagher, City Clerk.

Mayor Davis observed a moment of silence for Irving Siegel and Ellen Mae Cosgrove, residents. She then led the Pledge of Allegiance to the Flag.

CONSENT AGENDA: Mr. Putens moved approval of the consent agenda. Mr. Roberts seconded. The motion passed 5 to 0.

Council thereby took the following actions:

MINUTES:

- Work Session, May 1, 2000
- Work Session (1), May 3, 2000
- Work Session (2), May 3, 2000
- Regular Meeting, May 8, 2000
- Work Session, May 10, 2000
- Work Session, May 15, 2000

Approved as presented.

RED LIGHT TRAFFIC CAMERAS - MEMORANDUM OF UNDERSTANDING (MOU):
Council authorized that the MOU for participation in Howard County's Red Light Traffic Camera Program be signed.

EXTENSION OF AGREEMENT WITH METRICOM: Council approved the Metricom agreement for an additional three years or until the City adopts a formal telecommunications policy; Council also authorized the City Manager to sign it.

APPROVAL OF BOARD OF APPEALS RESOLUTION FOR VARIANCE #00-002-V: Since no requests for oral argument were filed, Council adopted the Board of Appeals Resolution for Variance application 00-002-V.

LOCAL GOVERNMENT INSURANCE TRUST (LGIT) BOARD OF TRUSTEES BALLOT: Council authorized the City Manager to return the ballot with an "agree" vote on the four candidates presented for the Board.

ATTENDANCE AT NATIONAL LEAGUE OF CITIES' (NLC) SMALL CITIES COUNCIL STEERING COMMITTEE SUMMER MEETING: Council approved Mr. Putens' expenses for attending the summer steering committee meeting.

RESIGNATION FROM THE BOARD OF ELECTIONS: Council accepted Lida Churchville's resignation with regret and directed that the appropriate letter of appreciation be drafted for the Mayor's signature.

APPROVAL OF AGENDA: Mr. Turnbull requested the addition of an item to consider expanding the number of individuals previously appointed to the State Highway Administration's task force on Greenbelt Road. Mr. White moved that the agenda be approved with that addition, and Mr. Putens seconded. The motion passed unanimously.

PRESENTATIONS:

American Legion Auxiliary - Memorial Day Poppy Presentation: In honor of Memorial Day, a delegation from American Legion Auxiliary, Greenbelt Unit #136, appeared before Council. Rosita Dietrich introduced Charlotte Dickson, Rose Unruh, Sandi Dutton, Rusty Beeg, and Gabrielle Caggiono. Ms. Dietrich read a narrative explaining the symbolism of poppies used to honor veterans, and paper poppies were presented to Council and to others in attendance. Council expressed its appreciation to the delegation for coming. Mayor Davis reminded everyone that the American Legion's Memorial Day observance would take place at 10:00 a.m. on May 30th at Roosevelt Center and that the White House Millennium Council had called for a national minute of silence to be observed at 3:00 p.m. on May 29.

Public Works Week - Proclamation: May 21-27 is Public Works Week. Mayor Davis read a proclamation to mark the occasion, which was accepted by Kenneth Hall, Acting Director of Public Works, on behalf of the Department.

PUBLIC HEARING ON THE PROPOSED FY 2001 BUDGET: Mayor Davis read the agenda comments and then recessed the regular meeting for the purpose of conducting a Public Hearing on the proposed FY 2001 budget. She then went through the budget, enumerating those items that had been modified in the course of budget work sessions. The following individuals addressed Council during the budget review:

Elizabeth Gaines of 13 Lakeside Drive presented an article from the Washington Post questioning the value of the Drug Abuse Resistance Education (D.A.R.E.) program. She urged the City not to support it. The City provides some direct and indirect support for the program: promotional materials for the officers in the schools and about 2.5 days per year of personnel time in the classroom. Mayor Davis said the article would be forwarded to the Police Department but noted that the officers find the personal contact established in the classrooms on this topic to be useful and that, as a teacher, she had found that students responded to it positively.

Ms. Gaines also presented a petition signed by 20 people, 19 of whom were present at the Greenbelt Aquatic & Fitness Center (GAFC) at 6:00 a.m. that morning, requesting that the opening hours not be pushed back.

Clement Chu Sing Lau of 6 Greentree Place read a statement requesting that the evening hours at the GAFC not be shortened. He said the City should not raise taxes and cut services and noted that serious swimmers often choose to use the pool at times when it is less crowded. He complimented the City's Web site and encouraged additional use of it.

David Morse of 46-D Ridge thanked Council for having decided not to shorten the GAFC hours. He added that he did not like to see people discouraged from using the pool and suggested that increasing lifeguard coverage might help with the problems created at times by overcrowding.

John Peckenpaugh of 6809 Springshire also thanked Council and stressed the importance of maintaining hours at the fitness center as well as at the pool. He said there are more people there late in the evening in the fall and winter than in the warm weather.

Mr. Turnbull expressed concern that by suggesting that something as popular as the GAFC's hours might have to be limited, the proposed budget had, in effect, created a false crisis that distracted citizens from examining the need to reduce other costs. He said that unless there are significant changes, he will not vote in favor of the proposed budget. He said that in the work sessions he had made a number of suggestions for reducing or deferring expenses and expressed his objection to the City's balancing the budget by raising taxes for the seventh year in a row and drawing down the reserve funding. He said Greenbelt should be taking a much harder look at why it is not participating in the rewards of the improved economy.

Mr. White then discussed several of the specific suggestions Mr. Turnbull had made earlier regarding the budget, and Mr. Turnbull responded to his comments.

Mayor Davis commented on a number of the specific suggestions and remarked that the reserve fund was not a rainy-day fund but rather was to be used for flexibility in the budget process. At her request, Mr. McLaughlin explained that in FY 1999 it was observed that the reserve fund had grown too large, at nearly \$3 million dollars or nearly 20% of the City's budget. The decision was made to spend-down the accrued fund balance to a more appropriate level, over a period of years, on one-time or quasi-one-time expenditures.

Mr. Roberts indicated that he appreciated that Mr. Turnbull's suggestions had added a measure of debate to the budget proceedings that was sometimes missing; he expressed concern that there

might be a prevailing assumption that taxes should be raised in lieu of deferring expenses where possible. He emphasized putting a priority on expenses that provide direct benefit to residents and said that salary increases for current employees, after the years of not keeping up with COLAs, should take priority over funding for new positions such as that of the museum curator.

Mr. Putens remarked that it was important to remember that over the years Council had swung in different directions on certain issues depending on the context; for example, it was intentional that COLAs were limited during a period of years when Council decided that limiting increases was preferable to eliminating jobs.

Mayor Davis reiterated the importance of the City Manager and the City Treasurer examining Greenbelt's economic situation in comparison with that of other municipalities in the area and said that Council would expect to hear more about this. She noted that there is \$125,000 in the budget for salary increases over and above the 2% COLA and that salaries would be further examined after the presentation of the compensation study at the end of June.

The Mayor also announced that the City's property tax rate will be set when the budget is adopted on June 5, 2000, at 8:00 p.m. here in the Council Room of the Municipal Building.

Sandra Lange, President of the Friends of the Greenbelt Museum, then read a brief statement on the importance to the public relations and historic preservation of the City of establishing a full-time curator position.

At this time, the Mayor declared the Public Hearing to be over, and the regular meeting was reconvened.

PETITIONS AND REQUESTS: The petition presented by Ms. Gaines in support of maintaining the existing opening hours of the GAFC was filed with the Clerk.

ADMINISTRATIVE REPORTS:

Mayor Davis reported on the graduation at Eleanor Roosevelt High School of the Police Criminal Justice Youth Academy and congratulated the Police Department on this program. She also announced that on June 3, as part of Greenbelt Day Weekend, the Maryland 2000 Millennium Celebration will show "Navy Blue and Gold" with Jimmy Stewart at the Old Greenbelt Theatre at 12:30 p.m. as part of its Filming Maryland Exhibition. The theater was one of four theaters chosen as venues.

LEGISLATION:

A Resolution to Negotiate the Purchase of a Dump Truck from Tysons Ford of Vienna, Virginia, at a Cost of \$44,059.46: Mayor Davis read the agenda comments. Mr. Roberts introduced the above-titled resolution for second reading and adoption. Mr. Putens seconded.

ROLL CALL: Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes
Mayor Davis - yes

The Resolution was declared adopted. (Resolution No. 911, Book No. 7.)

A Resolution to Establish Admission Fees and Pass Rates for the Greenbelt Aquatic & Fitness Center and Repeal Resolution 764: Mayor Davis read the agenda comments. Mr. Putens introduced the above-titled resolution for second reading and adoption. Mr. White seconded.

ROLL CALL: Mr. Putens - yes
Mr. Roberts - yes
Mr. Turnbull - yes
Mr. White - yes
Mayor Davis - yes

The Resolution was declared adopted. (Resolution No. 912, Book No. 7.)

A Resolution to Negotiate the Purchase of Ballfield Lights for Braden Field from S. Rock/Estabrook of Aldie, Virginia, in the Sum of \$127,000: Mayor Davis read the agenda comments. Mr. Roberts introduced the above-titled resolution for first reading. In response to questions from Mr. White and Mr. Turnbull, Hank Irving, Director of the Recreation Department, said that the lighting proposed at the lower price was within the level of play standard while providing adequate spillover control.

AMENDMENT TO POLICY ON NON-RESIDENT SUMMER DAILY ADMISSION TO THE GREENBELT AQUATIC & FITNESS CENTER: Mayor Davis read the agenda comments. Joe Mack Schubert of 1-B Gardenway spoke in favor of the change of policy, indicating that the pool sometimes becomes so crowded that residents don't use it. In response to a question from Mr. Putens, George Rogala said that pass-holders and residents are limited to three guests per visit. He also said that opinion he had received on the change in policy was split, as expected, with residents in favor and non-residents against. Mr. Putens moved that the policy be changed to limit non-resident admissions on weekends and holidays during the summer to pass-holders and the guests of pass-holders or residents. Mr. White seconded the motion, which then passed 5-0.

PRESENTATION ON PROPOSAL FOR CURFEW LAW: The Mayor read the agenda comments. Dorry Ipolito, chair of the Public Safety Advisory Committee, and Kelby Brick, vice-chair, briefed Council on the committee's findings and the draft ordinance. Both stressed the importance of the fact that the areas surrounding Greenbelt have curfew policies. The Youth Advisory Committee is also very supportive of this recommendation. As drafted the ordinance would apply to youth under the age of 18, with a curfew of 10:00 p.m. on school nights and midnight otherwise. There are a number of exceptions to cover young people accompanied by their parents, going to and from work, participating in organized activities, etc. Mr. White and Mr. Turnbull both indicated that they had some serious concerns that would need to be addressed. Mr. White said he would have to be convinced that there was an identified need and a community concern, since such an ordinance restricts the law-abiding as well as those who might be misbehaving. Mr. Turnbull was also concerned about restrictions that would impede freedom

of movement and association by those 18 or older. Mr. Roberts asked about the requirements for enforcement by businesses. Ms. Ipolito and Mr. Brick said these issues all needed discussion but said that their own initial reservations about justice and constitutionality issues had been allayed in the process of developing the policy and the exceptions to it.

Mayor Davis suggested that the curfew proposal be referred to CRAB for review. Mr. Sheldon Goldberg, chair of the Greenbelt East Advisory Coalition (GEAC), asked for a copy for that group's review; he also questioned whether a curfew during the week was really needed and whether an age-tiered curfew might be more fair.

Mr. White moved that Council schedule a work session to discuss the curfew proposal in depth. Mr. Putens seconded the motion, which passed with a 5-0 vote.

PLAN TO UPGRADE CITY PLAYGROUNDS: The Mayor read the agenda comments. Hank Irving introduce the issues involved, saying that one of the problems has been that different groups and organizations have established different standards, which are still evolving. Bill Phelan gave a slide presentation that demonstrated the nature of some of the problems with the playgrounds (including surfacing) and equipment. In addition to specific safety issues, the plan also recommends the elimination of three playgrounds because of their lack of road access and increasing playgrounds equipped for very young children.

Mr. Putens moved, with Mr. Turnbull seconding, that Council receive the briefing and schedule a work session for an in-depth review of the issues and the staff plan. The motion carried unanimously.

MEMORIAL GARDEN AT SCHROM HILLS PARK: The Mayor read the agenda comments. Mr. Phelan gave an overview of the design. Initially, Mr. Turnbull moved, and Mr. Roberts seconded, that the staff design plan be accepted, with the inclusion of the language suggested by staff for the plaque. Upon questions from Mr. Putens and discussion with Sheldon Goldberg, chair of GEAC, it became apparent that there had been a misunderstanding regarding a plan that was discussed by Charlene MacAdams and Mr. Phelan to include individuals' names on pavers in the garden, with GEAC assuming this plan was acceptable to the City. Mr. Putens also suggested the need to review policies formulated earlier that might not be appropriate to all parts of the City. Council agreed that further discussion of the language for the plaque was needed but that the other aspects of the plan should not be delayed in the meantime. Mr. Turnbull withdrew his motion; Mr. Roberts accepted the withdrawal. Mr. Turnbull then moved that the staff design plan (including location, the rock, and the benches) be approved, with the language of the plaque to be deferred. Mr. Putens seconded the motion, which passed unanimously. Mayor Davis then asked Mr. Goldberg to take Council's draft of language for the plaque back to GEAC for discussion ("In loving memory of Greenbelt residents whose community spirit, volunteerism, and ideals helped build, serve, and improve our City").

Mayor Davis suggested that, in light of the support from GEAC for the paver plan, the policy on naming individuals be referred back to the Community Relations Advisory Board (CRAB) for review. Mr. Roberts indicated that he continues to agree with the established policy and is opposed to the paver plan and, more generally, to the use of extensive use of plaques to

memorialize individuals in park areas. Mr. Putens moved, with Mayor Davis seconding, that the paver plan and policy be referred to CRAB for review. The motion passed 3-2 (Mr. Roberts, Mr. Turnbull).

ELECTRIC AGGREGATION COALITION: The Mayor read the agenda comments. Mr. Turnbull noted that GHI should be included in any meeting, and Mr. Goldberg said that the organizations that compose GEAC would be interested. Mr. Putens moved that Council establish a date for a presentation by the Maryland Public Service Commission with all interested parties invited. Mr. White seconded. The motion passed 5-0.

PROPOSED AGREEMENT WITH GREENBELT ACCESS TELEVISION, INC. (GATE): Mayor Davis read the agenda comments. Mr. White moved that Council receive the proposal in preparation for a work session to be scheduled with GATE. Mr. Turnbull seconded. The motion passed 5-0.

STATE HIGHWAY ADMINISTRATION TASK FORCE ON GREENBELT ROAD: Mr. Turnbull moved that Sharon Bradley-Papp and Paula Clinedinst be appointed to the task force. Mr. Putens seconded the motion, which passed unanimously.

MEETINGS:

4 Cities Coalition: Topics to be included on the agenda are participation in the acquisition of the Jaeger Tract, financial support for the Washington Ear, the Metro Area Sector Plan, and a briefing by the consultant for the State Highway Administration on the project for Greenbelt Road.

Mayor Davis reported that an outcome of the Saturday, May 20, work session on the Metro Area Sector Plan was a decision to continue this discussion in work sessions on May 30 and June 21, the latter a follow-up to the public hearing on June 19. There will be no work session on May 24. There was further discussion of meetings needing to be scheduled and Council members' calendars.

ADJOURNMENT: Mr. Turnbull moved to adjourn the meeting. Mr. Roberts seconded. Mayor Davis pointed out that the City Manager might have other informational items to cover. A vote was taken on the motion, which failed with two votes in favor (Mr. Roberts and Mayor Davis) and two votes against (Mr. Putens and Mr. Turnbull). When no further items were forthcoming, Mr. Turnbull made a new motion for adjournment, which was seconded by Mayor Davis and then passed 5-0. Mayor Davis adjourned the regular meeting of May 22, 2000, at 12:08 a.m.

Respectfully submitted,
Kathleen Gallagher
City Clerk

"I hereby certify that the above and foregoing is a true and correct report of the regular meeting of the City Council of Greenbelt, Maryland, held May 22, 2000."

Judith F. Davis

Mayor